

## REMARKS

In the above-identified Office Action, the claims were again rejected as being anticipated by the cited Nakayama patent. In response, the independent rejected claims have been extensively amended to stress patentable distinctions of Applicant's claims as compared to the cited prior art, and new dependent Claims 41-58 have been added, each of which presents additional patentable distinctions over the references.

In particular, independent Claims 31, 37, and 39 have been amended in a similar manner to require that the apparatus comprises a manually controlled input unit that designates a storage destination, in an image data memory, which corresponds to a document image read by an image reading unit in response to an instruction by a user. Also, dependent Claims 41-43, 47-49, and 53-55 are now presented and provide additional patentably distinct limitations to the requirements of amended Claims 31, 37, and 39.

In contrast, the cited Nakayama et al. patent merely discloses that multi-color image information read by the image reading unit 14 is stored in a RAM 13, as discussed at column 3, lines 59 and 60 thereof. However, there is no disclosure in the Nakayama patent for manually designating the storage destination of the image information, as now required in Claim 31. Nor is there any disclosure therein of the image storage screen shown in Applicant's Figure 2 and claimed in dependent Claims 41-43, 47-49, and 53-55.

In response to the rejections of independent Claims 35, 38, and 40, it is noted that amended independent Claim 35 now requires an image transmitting apparatus

for displaying the names of images representing a plurality of files for transmission, at least one of which contains image data of a document image, and for enabling the manual selection of one of the plurality of files whose name or image is displayed.

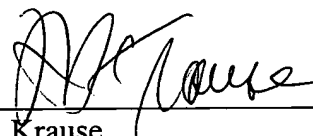
Also, Claim 35 now requires a display unit configured to display the plurality of names of the plurality of images representing the plurality of files; and a file selection unit adapted for a user to select at least one of the files whose name or image is displayed on the display unit. The other such independent claims have been amended in a similar manner, and new dependent Claims 44-46, 50-52, and 56-58, have been added to depend from those independent claims. All of such claims, including dependent Claim 36, are believed to be patentable over the cited Nakayama patent.

Specifically, the Nakayama reference merely discloses that a user can manually operate a color mode setting switch on the operating unit 21, which indirectly determines the file that is transmitted, as discussed at column 4, lines 20-23 of that patent. There is no disclosure, however, for displaying a plurality of names or images representing a plurality of files, as now required in Claim 35. Nor is there any disclosure of the image storage screen shown in Figure 3 and claimed in dependent Claims 44-46, 50-52, and 56-58.

Accordingly, for all of these various reasons it is believed that Claims 31-58, as now presented, are allowable, wherefore the issuance of a Notice of Allowance is solicited.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Krause", is written over a horizontal line.

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